



**Town of Arlington, Massachusetts**  
**730 Massachusetts Ave., Arlington, MA 02476**  
**Phone: 781-316-3000**

**webmaster@town.arlington.ma.us**

## Selectmen Minutes 01-29-2001

### TOWN OF ARLINGTON BOARD OF SELECTMEN

Meeting Minutes

Monday, January 29, 2001

7:15 p.m.

Present: Mr. Greeley - Chair, Mr. Lyons - Vice Chair, Mrs. Dias, Mr. Hurd, Mrs. Mahon

Also Present: Mr. Farrington, Mr. Maher, Ms. Cove

### FOR APPROVAL

Minutes of Meeting: December 18, 2000, January 8, 2001

Mrs. Mahon moved approval as amended. SO VOTED

NStar Electric Petition, 52 Lake St., W.O. #1106812

To provide underground electric service to Hardy School

(all abutters notified)

No one was present on behalf of Nstar. Margo Freshette of Lake Street was present and had several questions. Mr. Lyons moved to table the matter. SO VOTED

### APPOINTMENTS

Council on Aging

Hannah Simon (term to expire 1/19/04)

Ms. Simon, 135 Wildwood Avenue, was present. Mr. Lyons moved approval. SO VOTED

### LICENSES & PERMITS

Common Victualler License (Reapplying for Additional Seating)

High Teas, Ltd. d/b/a Tea Tray In the Sky, Cynthia R. Gold, Pres., 689 Mass. Ave.

Ms. Gold was present. Mr. Lyons moved approval subject to all conditions set forth by Town Departments. SO VOTED

License Renewals-- Contractor/Drain Layer

Lalicata Landscape Products, Inc.

Joseph A. DePrimeo, Jr., Inc.

D. Muzzioli Associates, Inc.

N. Sacca & Sons, Inc.

Mr. Lyons moved approval. SO VOTED

Request for One Day All Alcoholic License

Arlington Catholic, Irish Night Cocktail Party, 3/15/01, 6 p.m.-7 p.m.

Mr. Lyons moved approval. SO VOTED

**PRESENTATIONS AND REPORTS TO THE BOARD****For Discussion: Precinct Redistricting**

Kevin O'Brien, Assistant Director of Planning and Community Development

Mr. Lyons moved to form a subcommittee of the Board to consider the matter more closely. The Chairman appointed himself and Mrs. Mahon. SO VOTED

**Joint meeting with Board of Assessors**

Vote to Fill Vacancy of Maurice O'Connell

The Board temporarily recessed its regular meeting to meet with the Board of Assessors.

**Armstrong Ambulance Presentation**

William Armstrong, President

Mr. Armstrong asked Mr. Brian Connor to present the Board with information on the matter of Advanced Life Support Ambulance Services in the Town and surrounding area. Mr. Connor provided the Board with written material.

Mr. Lyons commented on recent incidents in area towns that gave him great concern over the Town taking over these services.

Mr. Lyons stated that the Town is fortunate to have the services of Armstrong Ambulance. Mr. Lyons moved to refer the matter to the Town Manager to empower him to enter into an agreement with Armstrong Ambulance to continue these services. SO VOTED

Kenneth Donnelly, 12 Grand View Road, Secretary of the Massachusetts Firefighters, indicated his concern over a for profit company offering these services. He expressed his concern that the company might decide to stop offering these services at any point and that the Town would then be unprepared to take this service over. He advised the Board not to enter into an agreement with Armstrong. The Board thanked Mr. Donnelly for his comments.

**For Discussion: Police Study**

Frederick Ryan, Director of Police Services

Mr. Ryan introduced Captains Dick Kennefick and Paul Coughlin as well as Sergeant John Serson, President of Ranking Officers Association, Officer Richard Flynn, Vice President of the Patrolman's Association. Mr. Ryan reviewed the process for the selection of the consultant for the study of the department, Crest Associates.

Mr. Lyons exited the meeting at 8:50 p.m.

Mr. Ryan gave an overview of the recommendations of the consultants and requested the Board's support for more resources for the department.

Mr. Lyons returned to the meeting at 9:10 p.m.

Mr. Hurd moved to receive the report and refer the matter to the manager. SO VOTED

Mrs. Dias moved to support the specific request to add 8 new officers in the fiscal year 2002 budget and to endorse the concepts and recommendations of the study including the reorganization of the department. SO VOTED

Mr. Lyons stated that this should be the Town's highest priority even with fiscal constraints. The Board encouraged the Manager to move forward immediately to add new staff to the department.

**For Approval: Temporary Minuteman Assessment Formula**

Report of the Finance Committee

Mr. Lyons reported to the Board that the Finance Committee had voted 9-1 to support the agreement. Mr. Lyons moved

approval. SO VOTED

Arlington Response to Change of Plan Notice for CSO (Combined Sewer Overflow)

Alewife Brook Advisory Committee

The Town Manager reported that no recent action had been taken and that the matter had been postponed until the end of March. Mrs. Dias thanked Mr. Bento and Mr. Shea of the Public Works Department for their hard work on this issue.

**CITIZENS OPEN FORUM**

Any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation in accordance with the policy under which the Open Forum was established.

Arlington Police Officer Gary Provenzano was present and asked that the Board direct the Manager to reopen the most recent offer for settlement from the Town in his pending case of litigation against the Town. Mr. Provenzano did not respond by the deadline for the agreement.

Mrs. Mahon moved to authorize the Town Counsel to enter into conversation to approve the final agreement.

Mr. Lyons stated that it is inappropriate for the Board to be substituting their judgment for the Town Counsel and Manager. He thanked Mr. Provenzano for coming to the meeting.

Town Counsel advised that the matter would best be discussed in executive session.

Clarissa Rowe, 54 Brantwood and Kevin Knobloch, 24 Academy were present to express their deep concern about the recent encroachment on the bike path by Mr. Dante Muzzioli. Town Counsel indicated he would be reporting on the matter in executive session at the next meeting.

Karsten Hartel & Ann LeRoy of the Open Space Committee, Bernice Jones of the Park and Recreation Commission and George Laite of the East Arlington Good Neighbor Committee reiterated the concerns of Ms. Rowe and Mr. Knobloch regarding the encroachment.

John FitzMaurice of the Redevelopment Board was present and gave a broad overview of parking issues and concerns in Arlington Center.

Mr. Provenzano once again appeared before and stated that he had not been discriminated against by the Town, that he brought a lawsuit against the Town to protect his family acting on very bad advice, he further asked the indulgence of those present and requested that the appropriate Town Officials work with him to reach agreement.

**TRAFFIC RULES & ORDERS/OTHER BUSINESS**

Request for Discussion of Daytime Municipal Parking

William H. Rowe and area Merchants

All members of the Redevelopment Board were present, Mr. Tsoi, Mr. Faulkner, Mr. Chaput, Ms. Mann, Mr. FitzMaurice and Mr. McClennen, (ex officio).

William H. Rowe, 11 Water Street was present and offered his thoughts on parking in Arlington Center, including the possibility of building a deck over the current lot in the center.

Glenn Bell and Paul Kelley of Simpson Gumpertz, 297 Broadway explained that they love Arlington but need more parking for their employees. Mr. Kelley presented the Board with information on building a structure to increase parking in the center.

David Walkinshaw of the Chamber of Commerce commented that he would like to see a public/private partnership on parking in the center and short term plans to increase parking by 40 to 50 spaces in the center.

Mr. Hurd moved to take the existing members of the Municipal Parking Committee and meet to discuss the feasibility of the matters discussed that evening along with appropriate members of the community including a representative of the Redvelopment Board and 2 area Business People. SO VOTED

Mr. Tsoi spoke about proprietary issues, costs of parking decks and issues related to underground parking.

Request for On Street Parking

Owners of 15 Medford St.

Mr. Hurd reported on the matter after having met with the neighbors and the municipal parking subcommittee. Mr. Hurd moved that residents that work out of their home be entitled to apply for the privilege of purchasing a parking permits. SO VOTED

Mr. Hurd further stipulated that a checklist should be developed to ensure the legitimacy of the business to prevent abuse of the privilege.

For Approval for Insertion in the Annual Town Meeting Warrant

Community Preservation Act Article

Mrs. Mahon moved approval. SO VOTED

For Approval: New Handicapped Parking Regulations

Commission on Disability

Mr. Lyons moved to refer the matter to the parking clerk for a recommendation. SO VOTED

Request for Various Signs/Arlington Heights

Arlington Swifty Printing Community Appreciation Program (CAP)

Charles Pappas of Swifty Printing, 1386 Massachusetts Avenue, was present. Mr. Pappas requested that 2 hour parking signs be replaced from the area from Hollywood Video to Wanamaker Hardware on Massachusetts Avenue. He also requested "No All Day Commuter Parking" signs be placed in the current employee/resident parking area. He also requested large signs to redirect commuters to commuter lots for the MBTA. He also requested a crosswalk barrel.

Mr. Lyons moved to refer the matters to parking subcommittee and the Director of Planning.  
SO VOTED

For Approval: Insertion of Warrant Article in the Annual Town Meeting Warrant Regarding Sidewalks

Commission on Disability

Mr. Lyons moved approval. SO VOTED

For Discussion: Naming of Playground Bordering Shelley Rd.

Arthur Barber, son of Harry Barber of 12 Shelley Road was present.

Mrs. Dias moved to ask the Public Memorials Committee to consider the appropriateness of renaming the Poet's Corner Playground to the Harry Barber Poet's Corner Playground.  
SO VOTED

Mr. Lyons cautioned the Board that while he feels very strongly about Mr. Barber, that these matters should be handled in a very deliberate and prudent matter; they are decisions not to be rushed into.

For Approval: Payment of Bills

Cyrus E. Dallin Art Museum

Printing/Annual Appeal \$473.73

Mail Merge/Annual Appeal \$432.36

Mrs. Mahon moved approval. SO VOTED

Closing of Annual Town Meeting Warrant

Mr. Lyons moved to insert an article to provide for community based health care. SO VOTED

Mr. Maher indicated his intention to redraft the warrant article regarding Symmes hospital, the Board consented.

Mrs. Mahon moved to close the warrant. SO VOTED

Correspondence Received

Nathan Turner Signs in municipal lot Be Rec'd  
68 Dickson Ave.

Frederick Laskey MWRA Sewer Rate Relief Award for FY2001 Be Rec'd  
DOR

James Witt Project Impact and retirement as FEMA Director Be Rec'd  
FEMA

Ron Fitzgerald Annual budget hearing and temporary assessments Be Rec'd  
Superintendent

Mr. Lyons moved to support the legislation. SO VOTED

Alan McClennen, Jr. Public Hearing Process for CDBG Program Year XXVII Be Rec'd  
Director of Planning  
& Community Development

Howard Winkler BFI trash contract Be Rec'd  
10 Sleepy Hollow Lane

Bob Durand Status Spy Pond Be Rec'd  
Environmental Affairs

Shelley Kilday Internship program sponsored by Rappaport Institute for Be Rec'd  
Harvard University Greater Boston

David Young Trash removal Be Rec'd  
204 Pleasant St.

Thomas Markham Support of "An Act Providing for Expanded Access to Be Rec'd  
Minuteman Vocational Education"

Clarissa Rowe Bikeway concerns Be Rec'd  
Kevin Knobloch  
Brian Rehrig  
Arlington Land Trust

Ann LeRoyer Bikeway concerns Be Rec'd  
Open Space Committee

Tom Rawson Municipal Parking Be Rec'd

JP Software  
Bob Geribo, Bikeway concerns Be Rec'd  
Mike D'Agnese  
Paul McKenna  
Arlington Youth Alliance

Mrs. Mahon moved receipt of correspondence. SO VOTED

### **New Business**

Mrs. Mahon moved approval of a one-day liquor license for the Stratton School PTO for February 10, 2001 for their Country Sweetheart Dance and Barbeque fundraiser.  
SO VOTED

Mr. Maher requested the Board call two special town meetings at their next meeting for April 9th and May 2nd.

Mr. Lyons requested that the matter of Symmes Hospital be placed on the next agenda.

Mr. Lyons requested that the March 12th meeting be moved to March 5th. The Board consented.

Mr. Greeley noted a memo from Rene Tsoukalas, Cochair of Town Day, requesting the Board's input on changes or suggestions for Town Day 2001. Mr. Greeley asked that Mrs. Tsoukalas appear before the Board.

### **Executive Session**

Mr. Lyons moved to convene in executive session for the purpose of considering the purchase, exchange, taking, lease or value of real property and to discuss pending litigation and further that the Board reconvene in open session for the sole purpose of adjournment.

Mr. Greeley: yes  
Mr. Lyons: yes  
Mrs. Dias: yes  
Mr. Hurd: yes  
Mrs. Mahon: yes

The Board returned to open session at 12:10 a.m.

Mr. Lyons moved to adjourn the meeting. SO VOTED

A true record. Attest:

Caryn E. Cove  
Board Administrator